

Amendment,
Serial No. 09/811,526
Attorney Docket No. 010363

REMARKS

Claims 1-15 are pending in the present application and are rejected. Claims 1, 3, 4, 7, 9, 13 and 15 are herein amended.

Applicants' Response to Claim Rejections under 35 U.S.C. §102

Claims 1, 2, 7, 8 and 15 were rejected under 35 U.S.C. §102(a) as being anticipated by Suzuki (JP 2001005951A).

It is the position of the Office Action that Suzuki discloses the fingerprint recognizing apparatus, electrical unit, or information processing unit as claimed. However, the Office Action notes that this rejection may be overcome by perfecting the claim to priority by filing a certified English language translation of the priority document.

Therefore, Applicants herewith provide a certified English language translation in order to perfect the claim to priority. Thus, Applicants respectfully submit that this rejection is overcome. Favorable reconsideration is respectfully requested.

Claim 13 was rejected under 35 U.S.C. §102(b) as being anticipated by Setlak et al. (U.S. Patent No. 5,940,526).

It is the position of the Office Action that Setlak discloses the electrical unit as claimed. It is noted that the Office Action considers Setlak to be applicable to independent claims 3, 4, 9 and 13, since these claims do not require that the movable cover and the grounded contact section are "separate elements." Accordingly, the Office Action interprets the movable electrically

Amendment,
Serial No. 09/811,526
Attorney Docket No. 010363

conductive cover 53' of Setlak, illustrated in Figure 4, to be the claimed "movable cover," the claimed "contact section," and the "ground contact plate."

All embodiments of the invention include the feature that "the contact section is a separate element from the cover." Therefore, Applicants herein amend the independent claims in order to include this feature. Applicants respectfully submit that such an amendment is sufficient to distinguish over the fingerprint sensor of Setlak. Furthermore, it is noted that Applicants herein make several minor amendments in order to improve the form of the claims. Favorable reconsideration is respectfully requested.

Applicants' Response to Claim Rejections under 35 U.S.C. §103

Claims 3-5 and 9-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Setlak in view of Bradney et al. (U.S. Patent No. 6,208,264).

It is the position of the Office Action that Setlak discloses the fingerprint recognizing apparatus or the electrical unit as claimed, with the exception of teaching that the cover has one free end and another base end and is moved between the open and closed positions by means of a hinge provided at the base of the cover, and that the contact section is arranged in a recess which is provided on the apparatus body at a position near to the free end of the cover when it is in the closed position. The Office Action relies on Bradney to provide this teaching.

As discussed above, Applicants herein amend the independent claims in order to recite that "the contact section is a separate element from the cover." Applicants respectfully submit

Amendment,
Serial No. 09/811,526
Attorney Docket No. 010363

that the combination of Setlak and Bradney does not suggest or disclose such a feature.
Favorable reconsideration is respectfully requested.

Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki.

It is the position of the Office Action that Suzuki discloses the electrical unit as claimed. The Office Action takes Official Notice that usage of mounting plates to mount electronic devices to casings or enclosures via a screw was well known. As noted above, Applicants respectfully submit that this rejection is overcome by perfecting the claim to priority by filing a certified English language translation of the priority document. Favorable reconsideration is respectfully requested.

Claims 6 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki in view of Gainey (U.S. Patent No. 6,382,416).

It is the position of the Office Action that Suzuki discloses the fingerprint recognizing apparatus or electrical unit as claimed, with the exception of a locking means for locking the cover in its closed position. The Office Action relies on Gainey to provide this teaching. As noted above, Applicants respectfully submit that this rejection is overcome by perfecting the claim to priority by filing a certified English language translation of the priority document. Favorable reconsideration is respectfully requested.

For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.


Amendment.
Serial No. 09/811,526
Attorney Docket No. 010363

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned agent.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP


Ryan B. Chirnomas
Attorney for Applicants
Registration No. 56,527
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

RBC/jl

Enclosure: Certified English language translation of priority document